



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,937	10/31/2003	Guy de Warrenne Bruce Adams	1509-471	8950

7590 09/27/2007  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
----------

HERBST, RACHEL M

ART UNIT	PAPER NUMBER
----------	--------------

1 2109

MAIL DATE	DELIVERY MODE
-----------	---------------

09/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/697,937

Applicant(s)

ADAMS, GUY DE WARRENNE  
BRUCE

Examiner

Rachel M. Herbst

Art Unit

2109

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10/31/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner. (title)
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 08/09/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

**DETAILED ACTION**

This is a first Office Action on the merits of this application. Claims 1-33 are presented for examination.

***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "User interface system for customization of remote control device".

***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 21 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. As to claim 21, the claimed invention is directed to "A carrier having thereon a computer program as claimed in claim 14" which is not tangibly embodied in a computer readable/executable medium.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 27 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "sheet-like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "sheet-like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-24 and 28-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Escobosa ("Escobosa", WO 0207122).

Art Unit: 2109

As per claim 1, Escobosa teaches Apparatus for customizing user interface devices, each of the user interface devices having at least one user input region identified by a symbol and, operatively associated with the or each respective input region, at least one respective set of computer instructions for generating command signals for use in controlling at least one respective function of a remote target device, said apparatus being arranged to (Escobosa, page 3, lines 23-29, i.e. customizable remote control its with programmable functions and corresponding keys):

a) receive control function selection information relating to at least one said function for inclusion in the interface device; (Escobosa discloses page4, lines 4-13, a customized consumer electronic device wherein a user selects among a plurality of functions performable by the consumer electronic device, and creates a virtual configuration for the device).

b) in accordance with the control function selection information, access from a location remote from the interface device at least one said set of computer instructions corresponding to a selected said at least one function(page 4, lines 4-13, wherein the functions include control functions for controlling another consumer electronic device, see also page 4, lines 14-21);

c) receive layout selection information relating to a layout of the user interface device(Escobosa discloses in Page 7 line 26 through- page 8 line 20, where the

Art Unit: 2109

table of functions presented to the user comprises a subset of all possible available functions displayed to the user as a selectable representation of the key layout is interpreted to mean layout selection).

d) generate at least one symbol for identifying at least one of a control function, disposition and size of the or each respective user input region; and (Escobosa discloses in fig 5b, page 8, lines 3-24 and page 14 lines 19-29 the user may configure the shapes, sizes and layouts from a dynamically selectable list of browsable layouts and print a label set to be installed on the remote this is interpreted to mean generate at least one symbol for identification of a least one control function, disposition and size of respective user input region).

e) in accordance with the layout selection information, (a) produce an association file associating at least one selected said set of computer instructions with the or each respective said user input region, (Escobosa discloses in Page 8, lines 3-24 when completed the computer then downloads the user's custom configuration into the remote this is interpreted to mean an file with associations is downloaded) and (b) initiate printing of the at least one symbol. (Escobosa discloses in Page 8, lines 11-24 a label set may be printed following configuration).

As per claim 2 Escobosa teaches an apparatus as claimed in claim 1, wherein the at least one said function is selected from the following operating functions:

Art Unit: 2109

play, move forward, move back, stop, pause, volume, on/off, change channel, select specific track or other record on a specific storage medium, zoom, rotate, slide show mode, edit red-eye, and further edit image functions. (Escobosa, fig 5b shows a list of functions including channel changing and other edit image functions like sharp, hue, bright, color, etc.)

As per claim 3, Escobosa teaches an apparatus as claimed in claim 1, wherein the at least one function

includes at least one of: selecting a said target device and initiating communication with a said target device. (Escobosa discloses this in page 10 line 24- page 11 line 18 where the code is first downloaded into the remote to allow the user to determine via experimentation if it is applicable is interpreted to mean an initiation of communication with target device)

As per claim 4, Escobosa teaches an apparatus as claimed in claim 1, comprising a customization interface arranged to display the at least one symbol in the selected layout for printing onto the interface device (Escobosa discloses this in fig 1, items 60, 64 showing a display with the customization interface and items 115, 114 showing the labels are printed on labels for the interface device).

As per claim 5, Escobosa teaches an apparatus as claimed in claim 1, comprising a customization interface for enabling an operator to perform at least one of the following operations: identify a said function corresponding to at least

Art Unit: 2109

one said set of computer instructions; select at least one said set of computer instructions for inclusion on the interface device ; select a configuration of the or each symbol; control an arrangement the or each symbol in a desired relative disposition. (Escobosa discloses this in fig 5b where the figure demonstrates an operator being able to identify and select a function corresponding to a set of computer instructions, selecting at least one set of instructions for inclusion on the interface device, selecting the configuration of the symbol and controlling the arrangement of each symbol).

As per claim 6, Escobosa teaches an apparatus as claimed in claim 1, arranged to cause the association file and the or each selected set of computer instructions to be transmitted for storage on said interface device. (Escobosa discloses in Page 8, lines 3-24 when completed the computer then downloads the user's custom configuration into the remote this is interpreted to mean a file including instructions and respective associations is downloaded)

As per claim 7, Escobosa teaches an apparatus as claimed in claim 1, wherein at least one said user input region in the selected layout corresponds to a plurality of user input sub-regions. (Escobosa discloses a user input region in the selected layout corresponds to a plurality of user input sub-regions in fig 5b)

As per claim 8, Escobosa teaches an apparatus as claimed in claim 1, including printer apparatus operable to print the or each symbol directly onto a said



Art Unit: 2109

interface device (Escobosa discloses this in fig 1 item 115 depicting a the apparatus including a printer apparatus).

As per claim 9, Escobosa teaches an apparatus as claimed in claim 1, including at least one of the remote set or sets of computer instructions stored thereon. (Escobosa discloses this in Page 3 lines 14-22 where a database including a plurality of functions for a consumer electronic device is provided).

As per claim 10, Escobosa teaches an apparatus as claimed in claim 9, wherein the or each remote set of computer instructions stored on said apparatus is accompanied by information for generating a respective predetermined symbol relating to an associated control function. (Escobosa discloses this in Page 3 lines 23-29 a plurality of customized labels or in some embodiments, customizable labels corresponding to the plurality of configurable keys are included).

As per claim 11, Escobosa teaches an apparatus as claimed in claim 9, wherein at least one said set of computer instructions is for generating command signals for causing a remote device to access remotely stored information that a producer of the interface device wishes a user of the interface device to access. (Escobosa discloses this in Page 4 lines 4-14 where the plurality of functions performable by the consumer electronic device includes a DVD player).

Art Unit: 2109

As per claim 12, Escobosa teaches a method of producing an interface device, comprising using [[an]] the apparatus as of claim 1 to print said symbols onto an interface device blank, or onto a surface for subsequent alignment with an interface device blank. (Escobosa discloses this in fig 1, items 60, 64 showing a display with the customization interface and items 115, 114 showing the symbols are printed on labels for the interface device).

As per claim 13, Escobosa teaches a method of producing a customized interface device for use with a predetermined storage medium having predetermined contents stored thereon in the form of records, (Escobosa discloses this in Page 4 lines 4-14 where the plurality of functions performable by the consumer electronic device includes a DVD player) the method comprising inputting to an apparatus as claimed in claim 1 at least one set of computer instructions for generating a command signal for selecting a respective one of said records, the or each set of computer instructions respectively including information for enabling said apparatus to generate a predetermined symbol relating to a respective said record, (Escobosa discloses this in Page 3 lines 23-29 a plurality of customized labels or in some embodiments, customizable labels corresponding to the plurality of configurable keys are included which is interpreted along with common knowledge at the time of this invention a control set of a DVD player contains track selection buttons). for printing said symbol onto the customized interface. (Escobosa discloses this in fig 1, items 60, 64

Art Unit: 2109

showing a display with the customization interface and items 115,114 showing the labels are printed for the interface device).

As per claims 14, 21, and 22, Escobosa teaches both a memory, a carrier and a Computer apparatus loaded with the memory storing a computer program for use in producing a user interface device having at least one user input region identified by a symbol and, associated with the at least one respective input region, at least one set of computer instructions for use in controlling a remote target device, said computer program comprising computer executable instructions for causing computer apparatus to:

- a) create an association file linking at least one selected said set of computer instructions, obtained from a location remote from the interface device, with at least one said user input region; (Escobosa discloses in Page 8, lines 3-24 when completed the computer then downloads the user's custom configuration into the remote this is interpreted to mean a file including instructions and associations is generated on the computer and then downloaded to the device)
- b) generate a symbol symbolizing the or each respective set of computer instructions; and (Escobosa discloses this in Page 3 lines 23-29 a plurality of customized labels or in some embodiments, customizable labels corresponding to the plurality of configurable keys where label is interpreted to mean symbol)
- c) generate a customization interface arranged to display the or each symbol in an arrangement for printing onto the interface device, wherein the or each symbol is disposed so as to correspond with at least one said user input region.

Art Unit: 2109

(Escobosa discloses this in fig 5b where the figure demonstrates an operator being able to identify and select a function corresponding to a set of computer instructions, selecting at least one set of instructions for inclusion on the interface device, selecting the configuration of the symbol and controlling the arrangement of each symbol).

As per claim 15 Escobosa teaches a memory as claimed in claim 14, wherein the or each set of computer instructions is adapted to generate command signals for controlling at least one respective operating function of at least one controllable device, said operating function being selected from the following: play, move forward, move back, stop, pause, volume, on/off, change channel, select specific track or other record on a specific storage medium, zoom, rotate, slide show mode, edit red-eye, and further edit image functions. (Escobosa, fig 5b shows a list of computer instructions including functions for channel changing and other edit image functions like sharp, hue, bright, color, etc.)

As per claim 16, Escobosa teaches a computer program memory as claimed in claim 14, wherein the or each set of computer instructions is adapted to generate command signals for selecting a said target device and/or initiating communication with a said target device. (Escobosa discloses this in page 10 line 24- page 11 line 18 where the code is first downloaded into the remote to allow the user to determine via experimentation if it is applicable is interpreted to

Art Unit: 2109

mean an initiation of communication with target device)

As per claim 17, Escobosa teaches a memory as claimed in claim 14, wherein at least one said symbol is disposed so as to correspond with a plurality of mutually adjacent said user input regions, so as to indicate a larger user input region-comprising said plurality. (Escobosa, fig . 11 and fig. 14, item 128 discloses at least one configurable symbol is disposed to correspond with a plurality of mutually adjacent user input regions.)

As per claim 18, Escobosa teaches a memory as claimed in claim 14, wherein said computer executable instructions are adapted for causing computer apparatus to generate a customization interface enabling an operator to perform at least one of the following operations: identify a control function corresponding to at least one said set of computer instructions; (Escobosa discloses in Page 4, lines 4-13, the user selectable set of functions include control functions for controlling another consumer electronic device). select at least one said set of computer instructions for inclusion on the interface device; select a configuration of the or each symbol; control an arrangement the or each symbol in a desired relative disposition.(Escobosa discloses this in fig 5b where the user controls an arrangement or one or more symbols)

As per claim 19, Escobosa teaches a memory as claimed in claim 14, wherein said computer executable instructions are adapted for causing computer

Art Unit: 2109

apparatus to cause transmission of the association file and the or each selected set of computer instructions for storage on said interface device. (Escobosa discloses in Page 8, lines 3-24 when completed the computer then downloads the user's custom configuration into the remote)

As per claim 20, Escobosa teaches a computer program memory as claimed in claim 14, wherein said computer executable instructions are adapted for causing computer apparatus to initiate printing of the or each symbol in a predetermined arrangement, for marking said user input regions. (Escobosa discloses in Page 8, lines 11-24 a label set may be printed following configuration).

As per claim 23, Escobosa teaches a computer apparatus as claimed in claim 22, wherein the computer apparatus comprises a printer apparatus or a personal computer. (Escobosa discloses this in fig 1 item 115 depicting the apparatus including a printer apparatus).

As per claim 24, Escobosa teaches an interface device, customized for use in controlling a selected target device to access records stored on a remote storage medium, the apparatus comprising: a plurality of switches; a plurality of corresponding switch actuating regions; permanent symbols, corresponding to target device control functions respectively printed relative to said actuating regions; a controller for controlling the interface; a path arrangement operably connecting the or each switch with said controller; and transceiver apparatus for

Art Unit: 2109

communication with said target device, whereby a user can use said symbols to identify a desired switch actuating region for generating and transmitting a command signal to the target device for accessing a selected record in desired manner. (Escobosa discloses this in Page 4 lines 4-14 where the plurality of functions performable by the consumer electronic device includes a DVD player. Furthermore figs 11 and 14 disclose functionality associated with selecting a record). The arrangement of the symbols having been selected and printed in accordance with the user's wishes (Escobosa discloses this in fig 5b where the figure demonstrates an operator being able to identify and select a function corresponding to a set of computer instructions, selecting at least one set of instructions for inclusion on the interface device, selecting the configuration of the symbol and controlling the arrangement of each symbol).

As per 28, Escobosa teaches a method of producing an interface device using an apparatus as claimed in claim 1, the method comprising feeding into printer apparatus an overlay sheet having a printable surface portion, so as to print said symbols in a predetermined arrangement onto said surface portion. (Escobosa discloses this in fig 1, items 60, 64 showing a display with the customization interface and items 115,114 showing the labels are printed for the interface device).

As per claim 29, Escobosa teaches a method as claimed in claim 28, further comprising aligning the overlay in predetermined positional relationship with a

Art Unit: 2109

blank interface device. (Escobosa, fig 8 discloses aligning the overlay in a predetermined positional relationship.)

As per claim 30, Escobosa teaches an overlay made using a method as claimed in claim 28. (Escobosa, Page 8, lines 11-24 where the user may print a label set to be installed on the remote or obtain a pad printed Mylar overlay).

As per claim 31, Escobosa teaches a method of customizing user interface devices, each of the user interface devices having at least one user input region identified by a symbol and, operatively associated with the or each respective input region, at least one respective set of computer instructions for generating command signals for use in controlling at least one respective function of a remote target device, the method comprising:

- a) receiving control function selection information relating to at least one said function for inclusion in the interface device; (Escobosa discloses in Page 4, lines 4-13, the user is allowed to select among a plurality of functions performable by the consumer electronic device)
- b) in accordance with the control function selection information, accessing from a location remote from the interface device at least one said set of computer instructions corresponding to a selected said at least one function; (Escobosa discloses in Page 4, lines 4-13, the functions include control functions for controlling another consumer electronic device).



Art Unit: 2109

c) receiving layout selection information relating to a layout of the user interface device; (Escobosa discloses in Page 7 line 26 through- page 8 line 20, where the table of functions presented to the user comprises a subset of all possible available functions displayed to the user as a selectable representation of the key layout is interpreted to mean layout selection).

d) generating at least one symbol for identifying at least one of a control function, disposition and size of the or each respective user input region; (Escobosa discloses in fig 5b, page 8, lines 3-24 and page 14 lines 19-29 the user may configure the shapes, sizes and layouts from a dynamically selectable list of browsable layouts and print a label set to be installed on the remote this is interpreted to mean generate at least one symbol for identification of a least one control function, disposition and size of respective user input region).

and

e) in accordance with the layout selection information, producing an association file associating at least one selected said set of computer instructions with the or each respective said user input region, (Escobosa discloses in Page 8, lines 3-24 when completed the computer then downloads the user's custom configuration into the remote this is interpreted to mean an file with associations is downloaded) and (b) initiate printing of the at least one symbol. (Escobosa discloses in Page 8, lines 11-24 a label set may be printed following configuration).

Art Unit: 2109

As per claim 32, Escobosa teaches a method of customizing a user interface device having user input regions arranged for causing respective sets of computer instructions to be processed on the interface device so as to generate respective command signals for controlling a remote device, the method comprising;

- a) enabling an operator to identify and select desired said sets of computer instructions corresponding to desired control functions for controlling at least one remote device; (Escobosa discloses in Page 4, lines 4-13, the user selectable set of functions include control functions for controlling another consumer electronic device).
- b) causing the selected sets of computer instructions to be transmitted to a user interface device for storage thereon; (Escobosa discloses in Page 8, lines 3-24 when completed the computer then downloads the user's custom configuration into the remote)
- c) receiving information relating to a disposition of the user input regions on the user interface device; and (Escobosa, fig 5b shows a user selecting the arrangement of a user input region on the user interface device, and in Page 8, lines 3-24 when completed the computer then downloads the user's custom configuration into the remote)
- d) printing onto a surface of the user interface device, (Escobosa discloses this in fig 1, items 60, 64 showing a display with the customization interface and items 115,114 showing the labels are printed for the interface device wherein the labels are interpreted to be a surface of the interface device) in alignment with

Art Unit: 2109

respective ones of said user input regions of the user interface device (fig. 8 shows the labels are printed in alignment), symbols respectively corresponding to the selected sets of computer instructions (fig. 5b and 8 item 108 shows the symbols the symbols correspond to the selected set of computer instructions).

As per claim 33, Escobosa teaches a method as claimed in claim 32, wherein the relative dispositions and sizes of the symbols *[[is]]* are dynamically selectable (Escobosa discloses in the Page14 lines 19-29 the shapes, sizes and layouts are dynamically selectable from a list of browsable layouts) at least one of the user input regions being dynamically arranged from a plurality of smaller user input regions.(Escobosa discloses this in fig. 5b where a portion of the user input region of the remote interface is dynamically configured from the selectable plurality of smaller buttons of the provided by the table on the right)

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2109

Claim 25, is rejected under 35 U.S.C. 103(a) as being unpatentable over Escobosa as applied to claim 24 above and further in view of Allport("Allport", US6882299)

As per claim 25, Escobosa teaches an interface device as claimed in claim 24 herein said storage medium comprises an optical storage device, said target device comprises an optical storage device reader at least some of said control functions relate to selection of respective records (Escobosa discloses this in Page 4 lines 4-14 where the plurality of functions performable by the consumer electronic device includes a DVD player, He also teaches this in fig. 15 where the items 126 and 128 disclose the capabilities of a remote for an audio player). He does teach the records are in the form of audio tracks stored on said optical storage device (Escobosa fig. 15 items 126, 128 have configurable buttons for accessing audio tracks). He does not explicitly teach at least some of the symbols are text or graphical representations of the content of respective said audio tracks. However Allport does teach this (Allport, col 26, par 1 where the track data from a respective record is downloaded into the remote and the corresponding symbols are in both text and graphical see display of the remote. Fig 9).

Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to apply Allport's method which encompasses functions related to selection audio tracks with Escobosa's method. The

Art Unit: 2109

motivation would have been to allow the user to choose which audio track to play based on its title. (Allport col 25 par4)

Claims 26, (27) are rejected under 35 U.S.C. 103(a) as being unpatentable over Escobosa as applied to claim 1 above, and further in view of Herbst("Herbst", DE19905561)

As per claim 26, Escobosa teaches a method of producing an interface device using an apparatus as claimed in claim 1. Escobosa also teaches the printing of symbols in a predetermined arrangement onto said surface portion. Escobosa does not teach the method comprising feeding into printer apparatus a blank interface device having a printable surface portion formed integrally therewith. Herbst does teach this (Herbst, par. 1 discloses a method to print directly on plastic smart cards containing an electronic module where this smart card is interpreted to be an interface device).

Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Herbst's method of printing directly to a smart card in Escobosa's method. The motivation would have been economically beneficial to be able to print directly on a completed smart card apparatus. (Herbst, par. 5).

As per claim 27 Escobosa teaches a method as claimed in claim 26. Escobosa does not specifically teach the blank interface device is constructed from flexible and substantially sheet-like material, for ease of processing through

Art Unit: 2109

a printer mechanism. By reviewing the application specification the product appears to be the same with no change in functionality. Furthermore, at the time of the invention, techniques to construct an apparatus such that it would have the characteristics to allow printing via a printer apparatus were well known in the art. Therefore it would have been obvious to one of ordinary skill in the art to employ such techniques as a matter of design choice (In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950); In re Kuhle, 526 F.2d 553, 188 USPQ 7 (CCPA 1975) 1984).

### ***Prior Art Not Relied Upon***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: US 5839905 Remote Control for Indicating Specific Information to be Displayed by a Host Device, 20030026971 Touch Sensitive Membrane, 2004/0113892 Remote Control with Programmable Button Labeling and Labeling Display Upon Button Actuation, US 6980150 System and Method for Controlling Home Appliances, US6885032 Display Assembly Having Flexible Transistors on a Flexible Substrate, US4728949 Remote Control Device for Controlling Various Functions of One or More Appliances, US7259710 User Input Device, US7218243 System and Method For Automatically Setting up a Universal Remote Control, US6871782 User Programmable Smart Card Interface System Having an Arbitrary Mapping, US4035593 Flexible Pressure Sensitive Switch Actuator Module Adaptable to a Keyboard Surface Having Fixed Contact Array, US5515052 Universal Remote Control with Function Synthesis,

Art Unit: 2109

GB2369706A Communications Device, EP 0566516 Multimodal Remote Control Device having Electrically Alterable Keypad Designations, and WO9535534 Control Unit With a Keypad Connectable To A Smart Card for Activating the Unit and Keypad. The following non –patent literature is also of note: Panasonic DVD-CV50, Inkjet Printing for Materials and Devices and High Resolution Inkjet Printing of All Polymer Transistor Circuits.

***Inquiry***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachel M. Herbst whose telephone number is 571-270-5132. The examiner can normally be reached Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Taghi Arani can be reached on 571-272-3787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2109

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

rmh



TAGHI ARANI  
PRIMARY EXAMINER  
9/17/07